

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

P.A.S.: PP #01017 - Cardinal Heights 1st Addition **DATE:** January 24, 2002
SP #1940 - Cardinal Heights Community Unit Plan

PROPOSAL: Preliminary Plat 209 lots and 2 outlots for 189 single family, 18 townhouse and 2 single family attached dwelling units.

WAIVER REQUEST: §26.23.140(a) Lot width to depth ratio
§27.15.080(a) Rear yard setback

LAND AREA: 40.69 acres, more or less.

CONCLUSION: With conditions, the application is in conformance with the Comprehensive Plan, the requested waivers allow for a mixture of housing types within the Community Unit Plan.

<u>RECOMMENDATION:</u>	Preliminary Plat #01017:	Conditional Approval
	Waiver of §26.23.140(a)	Approval
	Special Permit #1940:	Conditional Approval
	Waiver of §27.15.080(a)	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 21 Irregular Tract, located in the Southwest 1/4 of Section 18, T10N, R6E of the 6th principal meridian, Lincoln, NE.

LOCATION: Generally located at N.W. 56th Street and south of W. Leighton Avenue.

APPLICANT: Duane Hartman
Hartland Homes, Incorporated
P.O. Box 22787
Lincoln, NE 68542
(402)477-6668

OWNER: Same

CONTACT: Brian Carstens
Brian D. Carstens and Associates
601 Old Cheney Road, Suite C
Lincoln, NE
(402)434-2424

EXISTING ZONING: R-3, Residential

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	Single-family houses	R-3, Residential
South:	Agricultural	AG, Agricultural
East:	Single-family houses	R-3
West:	Agricultural	AG

HISTORY: On **December 21, 1998**, City Council approved Preliminary Plat #97027, Cardinal Heights Addition for 169 residential lots.

In July of **1987** the Oak Hills 1st Addition Preliminary Plat expired.

The area was zoned A-2, Single Family Dwelling District until it was updated to R-3, Residential during the **1979** zoning update.

In July of **1977**, City Council approved Oak Hills 1st Addition Preliminary Plat for 127 residential lots. No final plat was submitted.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan shows this area as Urban Residential.

The Comprehensive Plan indicates several goals for future urban residential areas, one of which indicates:

“Encourage efficient use of urban areas by providing for high density residential uses as an integral part of major, planned commercial and residential developments.” (Page 44)

“Increase ownership opportunities for households of different sizes and income levels.” (page 44)

Strategies indicated that each neighborhood should provide:

“A variety of housing types for a broad range of income levels.” (page 45)

UTILITIES: Currently the sanitary sewer is not in place to serve the entire development. A phasing plan was created to address this concern. Four phases are identified. Phases 1 through 3 can be platted after the preliminary plat is approved. Phase 4 can be platted when sewer improvements are constructed in the vicinity of N.W. 48th and West Adams Street and when N.W. 56th Street is improved.

TOPOGRAPHY: Sloping to the middle of the plat with a drainage swale running north-south through the center of the plat. The swale drains north toward Outlot A, which is the lowest point of the plat and is shown for detention.

TRAFFIC ANALYSIS: NW 56th Street is shown as an Urban/Rural Minor Arterial in the Future Street and Road Classification in the Comprehensive Plan. All other streets are internal and classified as local streets.

The boundaries of the plat are within the turning zone of the Airport Zoning Map. The Airport Zoning regulations indicate that areas within the turning zone shall not have a height in excess of 150 feet above the elevation at the closest point on the nearest runway, which is the south runway with a height of 1195.45 NAVD 1988. The applicant has noted this on the plan.

PUBLIC SERVICE: The nearest fire station is #11, Lincoln Air Park West at 3401 NW Luke Street. Olympic Heights Public Park is to the north of this plat.

ANALYSIS:

1. This is an application for a preliminary plat for 209 lots and two outlots and a special permit for a community unit plan for 209 dwelling units consisting of 189 single family, 18 townhouse, and 2 single family attached lots with a modification to allow 42-foot wide lots, waive the lot width to depth ratio on 17 lots, and reduce the rear yard setback on lots as shown on the site plan.
2. The applicant proposes Outlot B to be used for a playground and open space. Outlot A is identified as open space for storm water detention.
3. There is an existing preliminary plat on file for this area, Cardinal Heights Addition. The applicant requested the improvement for N.W. 56th Street be waived and was denied by the Planning Commission and City Council. The City Council modified the requirement to improve NW 56th Street at the time the adjacent lots are final platted.
4. The applicant acknowledges that the Comprehensive Plan has been amended to include NW 56th Street as a minor arterial road. The site plan shows double-frontage lots and relinquishes direct vehicular access to NW 56th Street except at the

intersection of West Partridge Lane. Double frontage lots are permitted by the Subdivision Ordinance when they abut a major street and relinquish access to the major street and therefore a waiver is not required.

5. The applicant is proposing a phasing plan for development of the site to correspond with anticipated sanitary sewer main up-grades in NW 48th Street by the City. Phase 4 of the proposed development will not be platted until such time as sanitary sewer is available.
6. The Public Works & Utilities Department noted that the phasing plan is unclear and needs to be revised to clearly indicate which phases will not be platted until N.W. 56th Street is paved and the sewer improvements are installed in N.W. 48th Street.
7. The Public Works & Utilities Department indicated that an easement shows the ability to build and maintain the portions of the storm water detention facility outside the limits of this plat in Outlot D, Olympic Heights Addition. The grading plan needs to be revised to show grading to the north of this plat. The calculated 100 year storage floods a portion of existing platted lots. The flood pool must remain in the outlot, currently the grading plan shows grading on private lots outside Outlot D.
8. Density calculations indicate a possible density of 252 units allowed by the Design Standards for community unit plans. The developer applied for 209 dwelling units.

PRELIMINARY PLAT
CONDITIONS:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the preliminary plat to:
 - 1.1.1 Indicate easements required by the December 10, 2001 Lincoln Electric System memo.
 - 1.1.2 Revise Note #1 of the General Notes to indicate "189 single family, 18 townhouse, and 2 single family attached".

- 1.1.3 Revise Note #8 to indicate West Partridge Lane.
 - 1.1.4 Revise Note #9 to remove “for buildings and a minimum rear yard setback of 10 feet for uncovered/unenclosed decks”.
 - 1.1.5 Revise Note #17 to indicate West Thatcher Lane.
 - 1.1.6 Indicate clearly the numbering for the General Notes.
 - 1.1.7 Add “Chair” for the signature for the Planning Commission Approval Certificate.
 - 1.1.8 Indicate the purpose of the 50' of additional right-of-way to be dedicated at the time of final platting.
 - 1.1.9 Add a 12" water main in N.W. 56th Street to the satisfaction of the Public Works & Utilities Department.
 - 1.1.10 Revise the grading plan to the satisfaction of the Public Works & Utilities Department.
 - 1.1.11 Revise the phasing plan to the satisfaction of the Public Works & Utilities Department.
 - 1.1.12 Indicate all elevations in NAVD 1988.
2. This approval permits:
- 2.1 209 lots and two outlots.
 - 2.2 A waiver of §26.23.140(a) to permit lots that do not meet the maximum lot width to depth ratio.

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:
- 3.1 Streets, sidewalks, public water distribution system, public wastewater collection system, drainage facilities, ornamental street lights, landscape screens, street trees, temporary turnarounds and barricades, street name signs, and permanent survey monuments have been completed or the

subdivider has submitted a bond or an approved escrow of security agreement to guarantee their completion.

3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

3.2.1 To submit to the Director of Public Works an erosion control plan.

3.2.2 To protect the remaining trees on the site during construction and development.

3.2.3 To pay all improvement costs.

3.2.4 To submit to lot buyers and home builders a copy of the soil analysis.

3.2.5 To continuously and regularly maintain street trees along N.W. 56th Street and landscape screens.

3.2.6 To complete the private improvements shown on the preliminary plat and community unit plan.

3.2.7 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

3.2.8 To relinquish the right of direct vehicular access from Lots 1-28, Block 1 and Lot 1, Block 2 to N.W. 56th Street.

3.2.9 To relinquish access from the subdivision to N.W. 56th Street until such time as NW 56th Street is paved.

3.2.10 To comply with the provisions of the Land Subdivision Ordinance regarding land preparation.

**SPECIAL PERMIT
CONDITIONS**

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the special permit will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the special permit to:
 - 1.1.1 Revise the site plan to include the density calculation for the Community Unit Plan.
 - 1.1.2 Indicate a waiver of the rear yard setback under the "Requested Waivers" table.
2. This approval permits:
 - 2.1 A waiver of §27.15.080(a) Rear yard setback.
 - 2.2 209 dwelling units.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies showing the following revisions and the plans are acceptable:
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

- 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Becky Horner
Planner

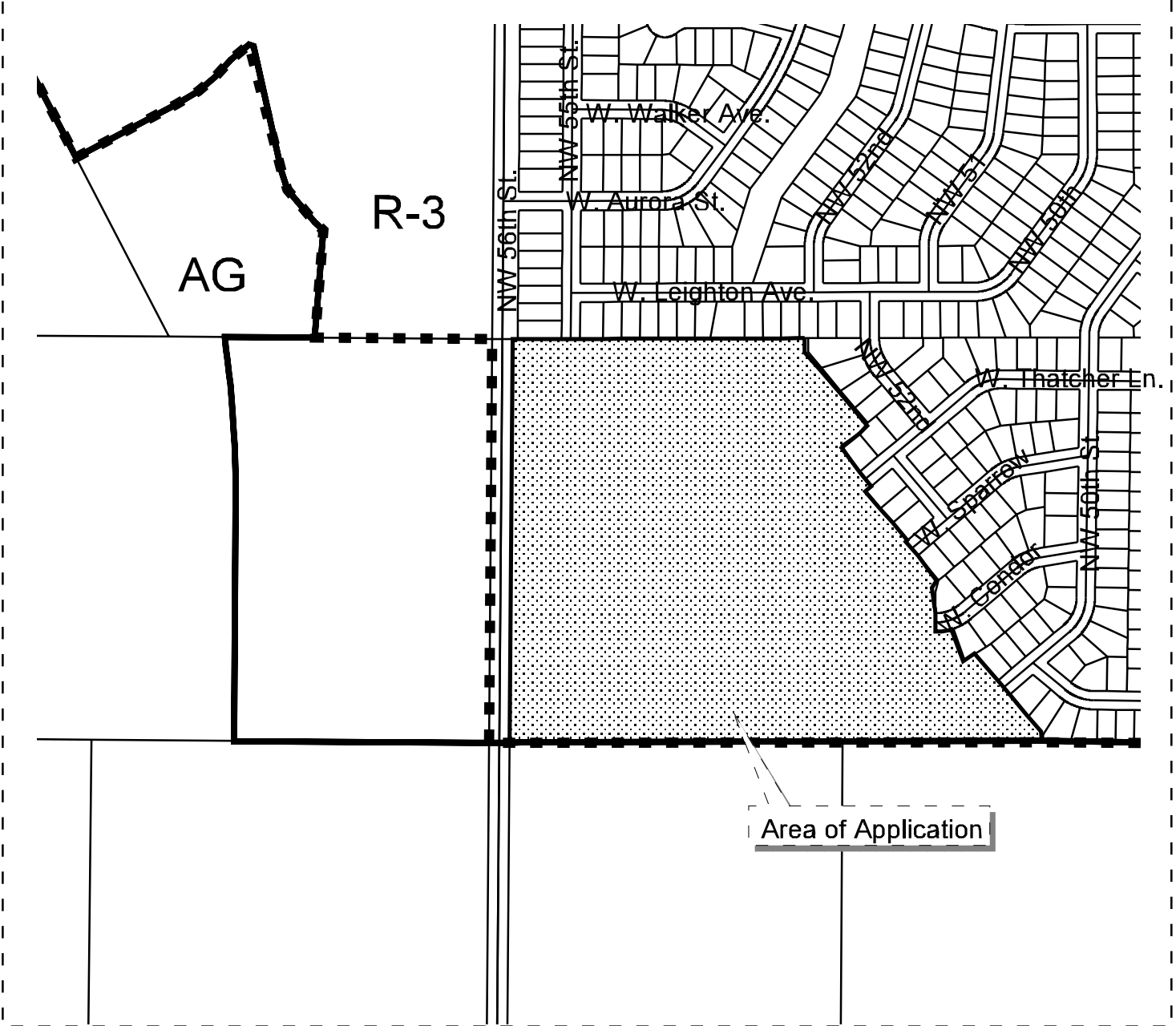


**Preliminary Plat #01017
Special Permit #1940
Cardinal Heights 1st Add
NW 56th & Leighton Ave.**



Photograph Date: 1999

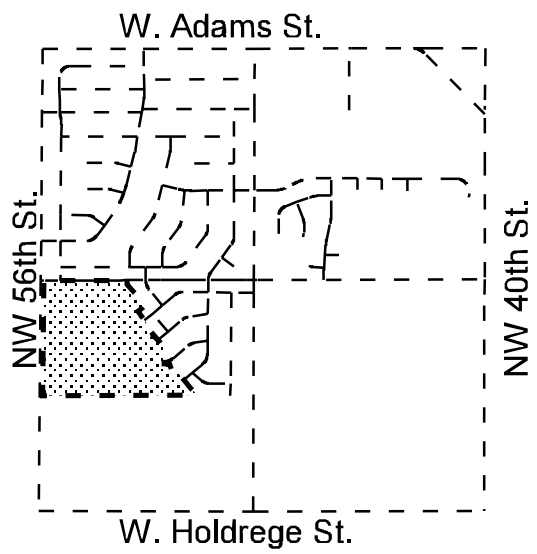
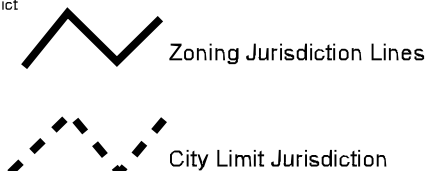
Lincoln City - Lancaster County Planning Dept.



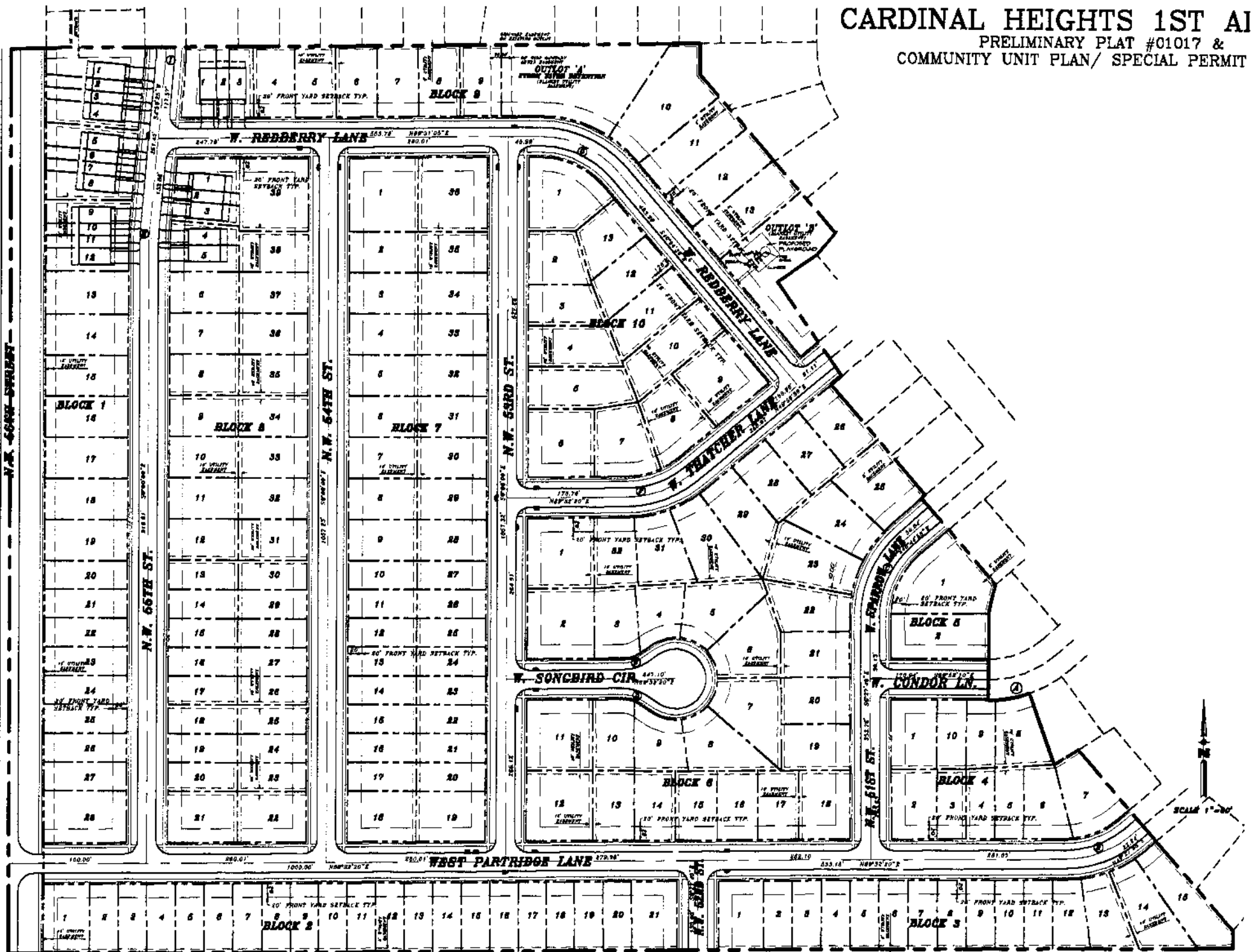
Preliminary Plat #01017
Special Permit #1940
Cardinal Heights 1st Add
NW 56th & Leighton Ave.

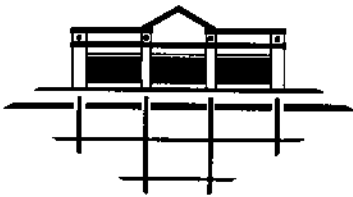
- Zoning:**
- R-1 to R-8 Residential District
 - AG Agricultural District
 - AGR Agricultural Residential District
 - R-C Residential Conservation District
 - O-1 Office District
 - O-2 Suburban Office District
 - O-3 Office Park District
 - R-T Residential Transition District
 - B-1 Local Business District
 - B-2 Planned Neighborhood Business District
 - B-3 Commercial District
 - B-4 Lincoln Center Business District
 - B-5 Planned Regional Business District
 - H-1 Interstate Commercial District
 - H-2 Highway Business District
 - H-3 Highway Commercial District
 - H-4 General Commercial District
 - I-1 Industrial District
 - I-2 Industrial Park District
 - I-3 Employment Center District
 - P Public Use District

One Square Mile
 Sec. 18 T10N R6E



COMMUNITY UNIT PLAN/ SPECIAL PERMIT





BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

January 4, 2001

Ms. Kathleen A. Sellman, AICP
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: CARDINAL HEIGHTS FIRST ADDITION
PRELIMINARY PLAT #01017 & COMMUNITY UNIT PLAN/ SPECIAL PERMIT #1940

Dear Kathleen,

On behalf of the owner, Hartland Homes, Inc., we are re-submitting the above mentioned project as per the meeting with planning staff.

The site plan has been revised to show 20 attached single family units/ lots in the northwest corner of the project. This change will allow for a variety of different sized lots and housing types. Therefore, meeting the concept of a community unit plan.

Please contact me if you have any further questions.

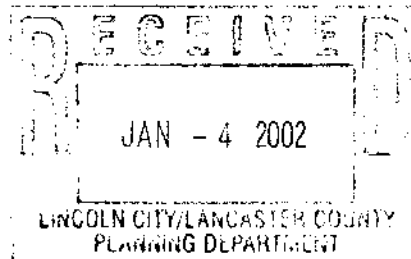
Sincerely,

Brian D. Carstens

cc. Hartland Homes, Inc.

ENCLOSURES:


6 copies of sheets 1 through 6 of 6
8-1/2" x 11" reductions of the plans



M e m o r a n d u m

JAN - 9 2002

To: Becky Horner, Planning

From:  Dennis Bartels, Engineering Services

Subject: Cardinal Heights 1st Addition


Date: January 9, 2002

cc: Roger Figard
Nicole Fleck-Tooze

Engineering Services has reviewed the January 4, 2002 resubmittal for Cardinal Heights 1st Addition and has the following comments:

1. None of my comments in my December 19, 2001 memo have been addressed and are still applicable.
2. The proposed change to show the 20 attached single family lots in the northwest corner of the plat is satisfactory.
3. The preliminary plat does not show the required 12" water main in Northwest 56th Street.

M e m o r a n d u m

To: Becky Homer, Planning
From:  Dennis Bartels, Engineering Services
Subject: Cardinal Heights 1st Addition Preliminary Plat
Date: December 19, 2001
cc: Roger Figard
Nicole Fleck-Tooze

Engineering Services has reviewed the revised Cardinal Heights 1st Addition Preliminary Plat and has the following comments:

1. The grading has been revised adjacent to Northwest 56th Street and is satisfactory.
2. An easement has been provided showing the ability to build and maintain the portion of the storm water detention facility outside the limits of this plat in Outlot D, Olympic Heights. The grading plan, however, needs to be revised. The grading plan does not show all the grading to the north of this plat. The calculated 100 year storage floods a portion of existing platted lots. The flood pool must remain in the outlot. The grading plan shows grading on private lots outside Outlot D.
3. Sheet 2 of 6 is listed as a phasing plan. The plat is divided into areas but are not labeled as to their significance. The phasing plan needs to show which phase will not be built until Northwest 56th Street is paved. The plan also needs to address the phase or phases that will not be built until sanitary sewer improvements are made downstream. This was required with the originally approved plat.



Memo

To: Becky Homer, Planning Department

From: Mark Canney, Parks & Recreation *MC*

Date: December 10, 2001

Re: Cardinal Heights 1st Addition PP 01017

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have no comments.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248.



Dennis L Roth

12/08/2001 07:36
AM

To: Rebecca D Horner/Notes@Notes
cc:
Subject: RE: Cardinal Heights

PROJ NAME: Cardinal Heights
PROJ NMBR: PP01017
PROJ DATE: 12/04/01
PLANNER: Becky Horner

Finding NO duplicate/similar names in our geobase for the street name proposed in this project, other than those which are an extension of an existing street.

Dennis "denny" Roth, ESD II/CAD Admin
Emergency Communications 9-1-1 Center

Streets: W Condor La, W Redberry La, W Partridge La, W Songbird Cir, W Sparrow La,
W Thatcher La, NW 53rd St, NW 54th St and NW 55th St.



INTER-DEPARTMENT COMMUNICATION

TO Becky Horner, City Planning
SUBJECT DEDICATED EASEMENTS
DN #20N-53W

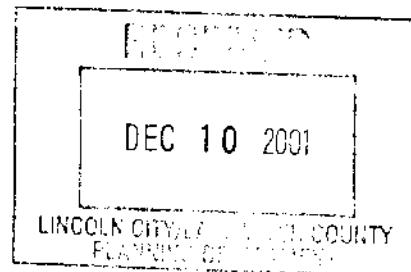
DATE December 7, 2001
FROM Sharon Theobald
(Ext. 7640)

Attached is the Revised Preliminary Plat for Cardinal Heights 1st Addition.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map.

Sharon Theobald



ST/ss
Attachment
c: Terry Wiebke
Easement File

City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review Comments

Permit # **DRF01094**

Address

Job Description: **CORDINAL HEIGHTS 1ST ADDITION**

Location: **CORDINAL HEIGHTS 1ST AD**

Special Permit: **Y 1940**

Preliminary Plat: **Y 01017**

Use Permit: **N**

CUP/PUD: **N**

Requested By: **BECKY HORNER**

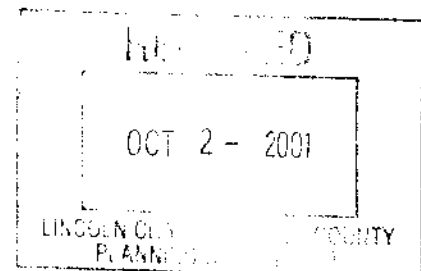
Status of Review: **Approved**

Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE** **BOB FIEDLER**

Comments:

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards





MICHAEL WOOLMAN
<lpd737@CJIS.CI.LIN
COLN.NE.US>

To: R Horner <RHorner@ci.lincoln.ne.us>

cc:

Subject: Cardinal Heights 1st Addition

10/01/2001 10:44
AM

Becky,

The Lincoln Police Department has no objections to the Cardinal Heights 1st Addition SP 1940 & PP 01017.

Michael S. Woolman
Planning Sergeant
Lincoln Police Department

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Becky Horner

DATE: 10/9/2001

DEPARTMENT: Planning

FROM: Chris Schroeder
Jerry Hood

ATTENTION:

DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: Cardinal Heights 1st Add
SP #1940 PP #01017

The Lincoln-Lancaster County Health Department has reviewed the proposed Cardinal Heights 1st Addition with the following items noted:

- Sewage disposal is projected to be the City of Lincoln Municipal collection system.
- Water supply is projected to be the City of Lincoln Water supply.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of vegetable ground cover will also be incorporated as necessary.
- Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.